

REMARKS/ARGUMENTSRejection Under 35 USC §103(a)

All claims, as previously presented, were rejected under 35 USC §103(a) as being unpatentable over Kimoto et al patent, #6,075,992.

Global Positioning System (GPS) devices are provided in the mobile stations in the communication system of the present application. The GPS devices are used to determine the current locations of the mobile stations to see if they are in a designated communication area. Information can be provided directly between two mobile stations with information of an accepted communication area and its radius centered at one of the mobile stations provided by a GPS system in that one of the mobile stations. Alternatively, information is provided between the two stations through a communications network in a fixed communication area. Applicant's attorney did not find the Kimoto patent disclosed using data from a GPS device in a mobile station to define a communication area centered at the mobile station. In Figure 38 of Kimoto, it appears that information is transferred between two mobile stations where one mobile station uses the retrieving unit 53 of the information center to determine location. This is not using the information generated by the one mobile station using a GPS system.

The present application also provides for the broadcasting of the same message to multiple mobile stations and limiting that broadcast to less than all mobile stations within a communication area based on the use of personal information. The Examiner points out that Kimoto discusses the use of personal information in sending messages to a mobile station. However, applicants found nothing in Kimoto about broadcasting the same message to multiple stations and then limiting the number of stations to which the message is simultaneously broadcasted based on personal

information. Applicant's attorney did not find in Kimoto where personal information is used to select mobile phones to receive a message broadcasted in a designated broadcast area.

The claims of the present application, contained in this response, distinguish from the Kimoto patent for above reasons. All are limited to the provision of information concerning selecting mobile phones to be called in a designated communication area based on personal information of the mobile phone users or to transmitting accepted communication areas from one mobile station where the information of location is generated in a GPS system of the other mobile station. For instance, claim 1 calls for broadcasting a message to not more than a specified number of mobile stations located within a designated area limiting the number of messages sent using personal information in a personal information database and keeping account of the number of mobile stations already called to make sure the assigned number of mobile stations called is not exceeded. Claim 6 calls for each mobile station for transmitting to another mobile station information including the designation of an accepted communication area generated by the GPS system of the one mobile station and then providing information directly between the one and another mobile stations when they are within the communication area. Claim 7, like claim 1, calls for selecting mobile stations to be called on the basis of the personal information of the users of the mobile stations and keeping count of the number of stations called so that the number called does not exceed a specified number. Claim 8 calls for transmitting over a communication network position information from one mobile station to another mobile station where that information includes the designation of an accepted communication area located at the center of the one mobile station and providing information when the detected location of the mobile station is within said communication area included in the received information. Claim 9 calls for one mobile station to detect its location and transmit it directly to another mobile station. Claim 10 calls for software for transmitting from one mobile

station to another mobile station generated by a GPS system in the one mobile station information, that GPS information including the designation of an accepted communication area.

The dependent claims further distinguish over the prior art by adding limitations to the independent claims. For instance, new claim 15 calls for the internet address of each user to include the phone number of the user's mobile station. New claim 16 provides for a database containing information correlated to the users of mobile station number, which database includes the user's personal information and effective time in which information provided becomes invalid; the effective range including a designation of a variable effective range and a absolute effective range method being used. The database also includes: effective range data describing the extent of the effective range and when the variable effective range is used, the user's name in addition to the radius of the effective range; and a maximum number of recipients list to which information is to be transmitted when the number of recipients is limited. New claim 17 includes details of the method of claim 7 for limiting the number of stations to be called. New claim 18 calls for periodic requesting of location information from a mobile station to determine whether the station falls within a specified effective range. New claim 19, like claim 17, calls for a database correlated to the user's mobile station number. Further, new claim 20 calls for checking the current time against the effective time in order to determine whether the effective time has expired and whether the station is within the effective area. New claim 20 covers specific details of the transfer of information between two mobile stations.

Rejection Under 35 USC §112

Claims 1, 5, and 9 have been amended in light of the Examiner's remarks to overcome Examiner's rejection under section 112.

Claim Objections

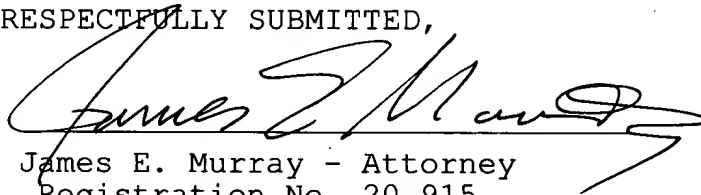
The claims have been amended in light of the Examiner's objections.

Extension of Time

A request for an extension of time is submitted herewith to extend the time provided in the Office Action.

For these and other reasons, all the claim distinguish over the prior art. Therefore, it is requested that the application be reconsidered, allowed and passed to issue.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "James E. Murray", is written over a horizontal line.

James E. Murray - Attorney  
Registration No. 20,915  
Phone: (845) 462-4763